

DAWN M. DESJARDINS

v.

THOMAS L. DESJARDINS SR.

Submitted on Briefs June 4, 2009

Decided June 30, 2009

Panel: SAUFLEY, C.J., and ALEXANDER, LEVY, SILVER, and GORMAN, JJ.

MEMORANDUM OF DECISION

Thomas L. Desjardins Sr. appeals from the judgment of the District Court (Fort Kent, *Hunter, J.*) modifying a 2003 divorce judgment between Thomas and Dawn M. Desjardins to award Dawn primary residence of the parties' minor child. Contrary to Thomas's contentions, the court did not err in: (1) finding that it was in the child's best interest to award primary physical residence to Dawn on Thomas's motion to modify parental rights, *see Smith v. Padolko*, 2008 ME 56, ¶¶ 9, 11-16, 955 A.2d 740, 743, 744-45; (2) declining to speak in camera with the parties' eleven-year-old child regarding the merits of the case, *see Nadeau v. Nadeau*, 2008 ME 147, ¶¶ 29, 31, 957 A.2d 108, 117, 118; (3) referring to personal experiences in making its decision, *see In re William S.*, 2000 ME 34, ¶ 8, 745 A.2d 991, 995; or (4) denying a motion for findings of fact when findings were sufficiently stated in its original opinion, *see Nadeau*, 2008 ME 147, ¶ 33, 957 A.2d at 118.

The entry is:

Judgment affirmed.

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